

**LEXINGTON-FAYETTE URBAN COUNTY COUNCIL**

**WORK SESSION AGENDA**

**September 15, 2009**

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-None**
- IV. Budget Amendments – Yes, pp.9-18**
- V. New Business, pp.20-55**
- VI. Continuing Business / Presentations**
  - A. Services Committee, pp.56-59**
  - B. South Limestone Construction Update  
Mr. George Milligan, Project Manager**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

## ADMINISTRATIVE SYNOPSIS

### New Business Items

- A. Authorization to Accept Forest Spring Court into the Public Right-of-Way. (537-09) (Webb)

This request will authorize the acceptance of Forest Spring Court into the public right-of-way pursuant to the Private Street Acceptance Policy. The association will maintain five (5) decorative streetlights, maintenance and repair of the concrete center parking median and landscaping, and resurface of the street. There are no changes to the Urban Services District. There are no private fire hydrant fees to assume.**pp.20-21**

- B. Authorization to Amend Sections 5-29 and 5-31 of the Code of Ordinances Regarding Permit Fees. (538-09) (Crowe/Webb)

This request will authorize an amendment to Section 5-29 of the Code of Ordinances, effective January 1, 2010, to add a fee of \$25 for a Certificate of Occupancy not associated with a building permit, a fee of \$10 for a home office certificate, a fee of \$25 a for a zoning and use verification letter, and a minimum fee of \$25 for a residential paving permit, and deletes the \$25 fee required for a grading permit. Section 5-31 regarding fee for installation of required street trees will be deleted in its entirety and this section reserved.**pp.22-26**

- C. Authorization to Accept Deeds of Permanent Easement from Recorded Property Owners for the Legacy Shared Use Trail Project. (552-09) (Rayan/Webb)

This request will authorize the acceptance of deeds of permanent easement from recorded property owners for the Legacy Shared Use Trail Project from the Kentucky Horse Park to Newtown Pike. There is no cost to LFUCG.**p.27**

- D. Authorization of an Agreement with the Fayette County Commonwealth Attorney's Office for Provision of the *Fast Track* and the *Major Violator* (Repeat Offender) Prosecution Programs under the Street Sales Drug Enforcement Project – FY2010. (540-09) (P. King/Bennett)

This request will authorize an agreement to provide federal funds in the amount of \$38,748 and LFUCG funds in the amount of \$12,916 to the Fayette County Commonwealth Attorney's Office to offset the cost of a full-time assistant prosecutor for a 1-year period for the *Fast Track* and the *Major Violator* prosecution programs under the Street Sales Drug Enforcement Project. The source of federal funds is the US Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program, from the Kentucky Justice Cabinet. Total cost of this element of the project is \$51,664. Funds are budgeted.**p.28**

- E. Authorization of an Agreement with the Fayette County Commonwealth Attorney's Office under the Recovery Act Justice Assistance Grant (JAG) Program. (557-09) (P. King/Bennett)  
This request will authorize an agreement for federal funds in the amount of \$135,000 with the Fayette County Commonwealth Attorney's Office under the JAG Program. Funds will be used for employment of a full-time assistant prosecutor for the prosecution of major violators. No local match is required. Funds are budgeted.**p.29**
- F. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Public Safety, Division of Community Corrections. (543-09) (Allen/Bennett)  
This request will authorize an amendment to Section 22-5 of the Code of Ordinances to create one (1) position of Social Worker (Grade 111E) within the Division of Community Corrections for a 3-year term. The fiscal impact for FY2010 is \$33,277.46. Total annual impact is \$48,067.44. This position will be funded from the Justice Assistance Grant Program.**p.30**
- G. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Public Safety, Division of Code Enforcement. (544-09) (Allen/Bennett)  
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish one (1) position of Code Enforcement Officer (Grade 113N) and create one (1) position of Nuisance Control Officer (Grade 111N) within the Division of Code Enforcement. The fiscal impact for FY2010 is a savings of \$4,048.02 to the General Fund balance. Total annual impact is a savings of \$5,847.14.**p.31**
- H. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Public Safety, Division of Police. (545-09) (Allen/Bennett)  
This request will authorize an amendment to Section 22-5 of the Code of Ordinances to create one (1) position of Microcomputer Support Specialist (Grade 113N) for a 1-year term. The fiscal impact for FY2010 is \$38,941.86. This position will be funded from the General Fund with recovery from the 2010 American Recovery Act, Edward Byrne Memorial Justice Assistance Grant Program.**pp.32-33**
- I. Authorization to Accept a Donation from the Friends of the Mounted Police, Inc. on Behalf of the Department of Public Safety, Division of Police. (553-09) (Bastin/Bennett)  
This request will authorize the acceptance of a donation valued at \$2,500 from the Friends of the Mounted Police, Inc. on behalf of the Division of Police, Mounted Unit, for expenses to attend and participate in the North American Police Equestrian Championships in Harrisburg, Pennsylvania, from September 26 – 30, 2009. The donation will be used for conference registration, lodging, and transportation of the horses. There is no cost to LFUCG.**p.34**

- J. Authorization to Submit Application to the Kentucky Division of Emergency Management (KYEM) on Behalf of the Department of Environmental Quality, Division of Water Quality, under The Department of Homeland Security, (DHS), Federal Emergency Management Agency (FEMA), Hazard Mitigation Grant Program (HMGP). (541-09) (P. King/Taylor)

This request will authorize the submission of an application for federal funds in the amount of \$2,016,048.75 (75%) and state funds in the amount of \$322,567.80 (12%) on behalf of the Division of Water Quality to KYEM under FEMA, HMGP, for the acquisition and demolition of fourteen (14) residential properties in the Lafayette Parkway / Southbend / Lone Oak area. A local match of \$349,448.45 (13%) is required. Total project cost is \$2,688,065. Funds are budgeted.**p.35**

- K. Authorization to Amend Resolution No. 284-2009 on Behalf of the Department of Environmental Quality, Division of Water Quality, Regarding the Sugar Mill Mitigation Project. (556-09) (P. King/Taylor)

This request will authorize an amendment to Resolution No. 284-2009 for additional federal funds in the amount of \$4,000 to complete the purchase of property in the Cardinal Valley area under the Sugar Mill Mitigation Project on behalf of the Division of Water Quality. Funds are budgeted.**p.36**

- L. \*Authorization to Renew the Engineering Services Agreement with Tetra Tech, Inc. for Annual Program Environmental Protection Agency (EPA) Consent Decree Implementation for FY2010. (542-09) (Martin/Taylor)

This request will authorize the renewal of the Engineering Services Agreement in the amount of \$1,000,440 with Tetra Tech, Inc. approved by Resolution No. 347-2008 dated July 2, 2008, regarding EPA Consent Decree related Annual Program Management Services. Funds are budgeted.**pp.37-38 EPA Consent Decree**

- M. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Environmental Policy. (548-09) (Allen/Taylor)

This request will authorize an amendment to Section 21-5 of the Code of Ordinances to create one (1) position of Environmental Initiatives Specialist (Grade 115E) within the Division of Environmental Policy. The fiscal impact for FY2010 is \$42,734.19. Total annual impact is \$61,727.16. Funding was approved in the FY2009 budget and is continued in the FY2010 budget. Funds are budgeted.**p.39**

- N. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Waste Management. (549-09) (Allen/Taylor)

This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish one (1) position of Administrative Officer (Grade

118E) and create one (1) position of Efficiency Analyst (Grade 118E) within the Division of Waste Management. Funds are budgeted.**p.40**

- O. Authorization of Change Order No. 2 to Contract with Denham-Blythe Company, Inc. Regarding the Lyric Theatre and Cultural Arts Center Project. (547-09) (Milward/Rabold)

This request will authorize Change Order No. 2 to increase contract amount by \$72,838.01 with Denham-Blythe Company, Inc. regarding the Lyric Theatre and Cultural Arts Center Project. This change allows for the removal of a rubble masonry wall and installation of new masonry wall, and to substitute metal brick anchors with anchors for the new masonry wall. Original contract total was \$5,560,322.66. Previous change order was for \$16,313.12. New contract total is \$5,564,473.79. Funds are budgeted.**pp.41-45**

- P. Authorization of a Contract for Outdoor Lighting Service with Kentucky Utilities Company on Behalf of the Office of the Mayor, Division of Special Events – Phase 10. (555-09) (Ebel/Rabold)

This request will authorize a Contract for Outdoor Lighting Services for an annual cost of \$2,603.04 for a 10-year term with Kentucky Utilities Company on behalf of the Division of Special Events for street light add-on accessories for the display of banners. Installation will be at various downtown street light pole and fixture locations on East and West Main Street, and East and West Vine Street. Funds are budgeted.**p.46**

- Q. Authorization of an Agreement for Professional Services with Simon and Company, Inc. for 2009 – 2010 Federal Affairs Assistance on Behalf of LFUCG. (558-09) (Sheehy/Rabold)

This request will authorize approval of an Agreement for Professional Services in the amount of \$39,000 with Simon and Company, Inc. as outlined in the 2009 – 2010 Work Plan, as LFUCG's Federal Affairs Assistance in Washington DC, regarding intergovernmental relations and federal affairs. Funds are budgeted.**pp.47-51**

- R. Authorization to Advertise the Position of Administrative Specialist Senior in the Department of Public Works and Development, Division of Building Inspection, within LFUCG. (551-09) (Allen/O'Mara)

This request will authorize the advertisement of the position of Administrative Specialist Senior in the Division of Building Inspection within LFUCG. It has been determined LFUCG has a balanced EEO pool of internal candidates who could apply and are qualified for this position.**p.52**

- S. Authorization to Amend Resolution No. 440-2009 on Behalf of the Department of Social Services, Division of Family Services, Regarding the Financial Audit of the Family Care Center Health Clinic by Blue & Company, LLC. (554-09) (Hendrix/ Helm)

This request will authorize an amendment to Resolution No. 440-2009, Section 1, to correct the date of July 1, 2007 to read July 1, 2003. There are no other changes associated with this amendment.**pp.53-54**

T. Authorization of a Sponsor Agreement for Volunteer Income Tax Assistance (VITA) under the Central Kentucky Empowerment Project (CKEEP) and Civil Rights Assurance with Internal Revenue Service. (559-09) (Helm)

This request will authorize a Sponsor Agreement for VITA to provide free tax preparation and filing for households with incomes below \$42,000 and to provide space at the Gainesway Community Center, the Central Kentucky Job Center, and the Family Care Center. CKEEP will be responsible for the management of the programs and sites. A Civil Rights Assurance document is required by the Internal Revenue Service to assure no discrimination at the selected sites. There is no budgetary impact.**p.55**

**\*EPA Consent Decree**



